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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,512	01/26/2001	Teiji Terasaka	1247-0446P	6105
2292	7590	08/25/2004	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			LETT, THOMAS J	
			ART UNIT	PAPER NUMBER
			2626	
DATE MAILED: 08/25/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/769,512

Applicant(s)

TERASAKA, TEIJI

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☒ Claim(s) 1-3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.5.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the image data output key must be shown or the feature canceled from the claim. No new matter should be entered.

Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 1 is objected to because of the following informalities: the phrase “a function key including an image data output key which is” should be changed to read “a function key which is”. Appropriate correction is required.
3. Claim 2 is objected to because of the following informalities: the word “includes” should be changed to read “such as”. Appropriate correction is required.
4. Claim 3 is objected to because of the following informalities: the word “includes” should be changed to read “such as”. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. A function key and an image data output key are both claimed. With respect to the function key, it is unclear whether the function key is actually a “key”, or a “section of a panel” that includes keys and is not pressed. It is unclear as to whether these two keys (function key and image data output key) are pressed together with the user key to effect claim 1. In addition, it is unclear as to whether the function key 22 is actually pressed.

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6. Claim 3 recites the limitation "the mail function key" in line 5 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

7. Claim 4 recites the limitation "the mail function key" in line 5 of the claim.

There is insufficient antecedent basis for this limitation in the claim.

8. Claim 5 recites the limitation "the same" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

9. Claim 6 recites the limitation "the same" in line 3 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Wakabayashi (US Pat. Pub. 2001/0055127 A1). With respect to claim 1, Wakabayashi discloses alphabets and symbols relating to the user ID and password are inputted using the plurality of one-touch buttons 507 of the panel control section shown in FIG. 4 (para 93, lines 3-5), which reads on a user key in correspondence to which a mail address of each user is registered; and

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the POP access section 601 receives the email message from the mailbox of this user ID (para 67, lines 7-8), thereafter, the Base64 decode section 602, which has received the above instruction, reads out an attached file part of the e-mail message from the reception memory (para 69, lines 1-3), which reads on a function key including an image data output key which is pressed together with the user key to read out image data converted from electronic mail data of an electronic mail which was sent to the user's mail address.

With respect to claim 2, Wakabayashi discloses panel control section 33 receives operations done by an operator such as inputs of telephone number, e-mail address (para 42, lines 1-2), which reads on the function key includes a mail transmission key for setting the mail address registered in correspondence to the user key, to the electronic mail and transmitting the same, by being pressed together with the user key.

With respect to claim 3, Wakabayashi discloses the number of e-mail messages and message information of, for example, sender are outputted (para 90, lines 6-7), which reads on the function key includes a mail confirmation key for displaying the number of mails reaching the mail address registered in correspondence to the user key which has been pressed together with the mail function key.

With respect to claim 4, Wakabayashi discloses the number of e-mail messages and message information of, for example, sender are outputted (para 90, lines 6-7), which reads on the function key includes a mail confirmation key for displaying the number of mails reaching the mail address registered in

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correspondence to the user key which has been pressed together with the mail function key.

With respect to claim 5, Wakabayashi discloses the number of e-mail messages and message information of, for example, sender are outputted (para 90, lines 6-7), which reads on the function key includes a mail confirmation key for displaying the number of mails reaching the mail address registered in correspondence to the user key which has been pressed together with the mail function key.

With respect to claim 6, Wakabayashi discloses the number of e-mail messages and message information of, for example, sender are outputted (para 90, lines 6-7), which reads on the function key includes a mail confirmation key for displaying the number of mails reaching the mail address registered in correspondence to the user key which has been pressed together with the mail function key.

With respect to claim 7, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as input of e-mail address (para 42, lines 1-2). It is inherent that this information would be attached to the header of the email message, which reads on wherein in correspondence to each user key, signature data of the corresponding user is registered, and when the user key is pressed at a time of transmission of an electronic mail, the electronic mail is transmitted after the signature data registered in correspondence to the user key is added to the electronic mail data.

With respect to claim 8, Wakabayashi discloses a panel control section 33

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receives operations done by an operator such as input of e-mail address (para 42, lines 1-2). It is inherent that this information would be attached to the header of the email message, which reads on wherein in correspondence to each user key, signature data of the corresponding user is registered, and when the user key is pressed at a time of transmission of an electronic mail, the electronic mail is transmitted after the signature data registered in correspondence to the user key is added to the electronic mail data.

With respect to claim 9, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as input of e-mail address (para 42, lines 1-2). It is inherent that this information would be attached to the header of the email message, which reads on wherein in correspondence to each user key, signature data of the corresponding user is registered, and when the user key is pressed at a time of transmission of an electronic mail, the electronic mail is transmitted after the signature data registered in correspondence to the user key is added to the electronic mail data.

With respect to claim 10, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as input of e-mail address (para 42, lines 1-2). It is inherent that this information would be attached to the header of the email message, which reads on wherein in correspondence to each user key, signature data of the corresponding user is registered, and when the user key is pressed at a time of transmission of an electronic mail, the electronic mail is transmitted after the signature data registered in correspondence to the user key is added to the electronic mail data.

With respect to claim 11, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as input of e-mail address (para 42, lines 1-2). It is inherent that this information would be attached to the header of the email message, which reads on wherein in correspondence to each user key, signature data of the corresponding user is registered, and when the user key is pressed at a time of transmission of an electronic mail, the electronic mail is transmitted after the signature data registered in correspondence to the user key is added to the electronic mail data.

With respect to claim 12, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as input of e-mail address (para 42, lines 1-2). It is inherent that this information would be attached to the header of the email message, which reads on wherein in correspondence to each user key, signature data of the corresponding user is registered, and when the user key is pressed at a time of transmission of an electronic mail, the electronic mail is transmitted after the signature data registered in correspondence to the user key is added to the electronic mail data.

With respect to claim 13, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as inputs of user ID, password and an instruction of transmission starting (para 42, lines 1-4), which reads on only in the case where a pass code which is inputted along with pressing the user key coincides with the pass code registered in correspondence to the user key, transmission of the electronic mail is enabled.

With respect to claim 14, Wakabayashi discloses a panel control section 33 receives operations done by an operator such as inputs of user ID, password

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and an instruction of transmission starting (para 42, lines 1-4), which reads on only in the case where a pass code which is inputted along with pressing the user key coincides with the pass code registered in correspondence to the user key, transmission of the electronic mail is enabled.

With respect to claim 15, Wakabayashi discloses the number of e-mail messages and message information of, for example, sender are outputted (para 90, lines 6-7), which reads on a function for periodically displaying number of electronic mails reaching each user.

With respect to claim 16, Wakabayashi discloses the number of e-mail messages, senders, sending date and time are listed in a reception list 1301 on a user-by-user basis. Though the reception list of all users is continuously printed in this example, the reception list may be printed on a separate sheet on a user-by-user basis (para 89, lines 5-9 (and see Figs. 12 and 13 which read on the communication table)), which reads on a function for storing a combination of a pressed user key and a pressed function key and thereby preparing a communication table indicating communication information for each user.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 703-305-8733. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached at 703-305-4863. The

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fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or Faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to:

Crystal Park II

2121 Crystal Drive

Arlington, VA

Sixth Floor (Receptionist).

TJL



MARK WALLERSON
PRIMARY EXAMINER

